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REMARKS

§102(b) Rejection based on Salyer (US Patent 6,001,105) and Temeles (US Patent 6,283,971):

The Examiner has rejected claims 1-12 under §102(b) as being anticipated by Salyer (US Patent No. 6,001,105). Applicant has amended the claims and added new claims 13 and 14 so as to make more clear what, in the prior application, Applicant meant by a "matched arc cutting edge". The gist of the invention has now been reworded in these two new claims with the hope that the Examiner will identify at least one version that suits him. As amended, it is believed that it cannot be fairly said that the cited prior art anticipate a reamer which has teeth that have either a

- (1) (from claim 1) ...continuous macro geometric profile, the reamer comprising a cutting shell having cutting teeth thereon, wherein at least two of the teeth have a matched arc cutting edge connected to the shell by adjacent rise portions, the matched arc cutting edge following along a substantial portion of the macro geometric profile of the overall cut shape, and, when combined with that of the other of the at least two such teeth on the reamer, the combination making up a further substantial portion of the macro geometric profile to be cut, thereby reducing a number of teeth required to cut the macro geometric profile of the overall cut shape;
- (2) (from claim 13) the matched cutting edge having a cutting profile along the length which matches the contour of the cavity surface to be cut; and the matched cutting edges of the cutting teeth positioned on the reamer cutting surface in an overlapping arrangement, so that rotation of the cutting shell against the bone cuts the shaped cavity into the bone having the smooth contour

cavity surface, the cut smooth contour having a cavity surface length greater than the length of a single matched cutting edge;

- (3) ...wherein at least two teeth have a matched arc cutting edge of substantial length connected to the shell by adjacent rise portions, and wherein surfaces cut by at least two teeth overlap so that, in combination, the at least two teeth cut substantially a *single contiguous surface* which is at least a portion of an overall cut surface, thereby reducing a number of teeth required to cut the shape; or
- (4) – (from claim 14) the cutting teeth being doubly curved cutting teeth and having a matched cutting edge with a length;
- the matched cutting edge having a cutting profile along the length which matches the contour of the cavity surface to be cut; and
 - the matched cutting edges of the cutting teeth positioned on the reamer cutting surface in an overlapping arrangement, so that rotation of the cutting shell against the bone cuts the shaped cavity into the bone having the smooth contour cavity surface, the cut smooth contour having a cavity surface length greater than the length of a single matched cutting edge.

Concerning the Examiner's rejection of claims 1-12 under §102(c) based on Temeles, Applicant thanks the Examiner for seeking clarification regarding Applicant's position. Applicant believes that the Examiner's position is based on a fundamental misunderstanding of how Applicant defines his invention in the claims. Again, it is hoped that the amended claim clarifies Applicant's position so as to convince the Examiner that such claims define patentable subject matter, clearly distinct from the prior art. If the Examiner deems it helpful, Applicant seeks an interview with the goal of refining the claim language to make it sufficiently structural. The subject of the interview will be this limitation or preferred alternate language. Applicant believes that an interview will be very helpful in finding a common ground definition suitable to both parties and so makes himself available to participate in such

an interview. However, if the Examiner is willing to indicate the amended claims as allowable, the interview may of course be dispensed with.